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EXAMINER	
PATEL, MANGLESH M	

ART UNIT	PAPER NUMBER
2178	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/628,959	HEFETZ ET AL.	
	Examiner	Art Unit	
	MANGLESH M. PATEL	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 September 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This **FINAL** action is responsive to the amendment filed 8/21/2008 with supplemental declaration filed on 9/10/2008.

2. In the amendment Claims 1-26 are pending. Claim 26 is a new claim. Claims 1, 6, 10, 14, 18, 21 and 26 are the independent claims.

Response to Declaration under 37 CFR 1.131

3. The Affidavit filed on 8/21/2008 under 37 CFR 1.131 has been considered but is ineffective to overcome the effective filing date of the Dulepet (U.S. 7,316,003) reference. The evidence submitted is insufficient to establish the conception date of the invention in this country or a NAFTA or WTO member country. The declaration with internal documentation does establish a portion of the requirements for conception. For example the articles and explanation reasonably show that the claimed subject matter was conceived, however they fail to show due diligence from Dec 17, 2002 (1 day prior to the reference date) to Dec 19, 2002 (1 date prior to the applications priority date) to establish the date of conception. The applicant does not show diligence. No explanation with evidence has been provided to prove due diligence between the dates. The applicant must show evidence of facts establishing diligence.

The evidence submitted is insufficient to establish a reduction to practice of the invention in this country or a NAFTA or WTO member country both prior to, and after the effective date of the reference. Exhibits A and B are not sufficient enough to show that the invention was working as intended. For example page 9 of Exhibit B discloses open issues with the invention, it is unclear if the invention was working as intended to establish such a date for reduction to practice. In General, proof of actual reduction to practice requires a showing that the **apparatus actually existed and worked for its intended purpose.** This proof is demonstrated with satisfactory evidence of facts supporting priority of invention, said proof usually in the form of exhibits, Examples of support include attached **screenshots of the invention in action**, sketches, blueprints, photographs, reproduction of notebook entries, accompanying models, supporting statements by witnesses, interference testimony, and/or prior submission to the USPTO of Disclosure Documents.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Dulepet (U.S. 7,316,003, filed Dec 18, 2002).

Regarding Independent claim 1, a method comprising:

- Providing a design-time translator and a run-time translator that both correspond to a defined page element;
- During design-time for a page, invoking the design-time translator for a page template including the defined page element having one or more content components, said design-time invoking resulting in the defined page element in the page template being translated into a design-time representation of the one or more content components in the page , the design-time representation being rendered in accordance with a predefined layout of a container for the components, the page template being available to a plurality of remote users of a portal; and
- During run-time for the page, invoking the run-time translator for the page template, said run-time invoking resulting in the one or more content components being obtained and the defined page element in the page template being translated into a run-time presentation of the obtained one or more content components in accordance with the layout of the container.

Dulepet teaches creation/editing of a dynamic web page using a WYSIWYG editor. He describes the use of a design time engine which in response to a controller-deployed dynamic page request, the design time engine replaces the dynamic code JSP elements with a design time component, such a component comprises a content placeholder representative of content that would have been generated by a JSP container if the controller had deployed the dynamic code element to an executing JSP container.

Furthermore the page template is available to a plurality of remote users of a portal because the Merged model in fig 2 synchronizes the updated from the editor in design-time to the application database server thus making it available to the remote users of the portal. He then describes that during run-time upon receiving the source code, JSP container replaces dynamic source code elements within the source code with dynamically generated page content, and returns a dynamically generated web page (see abstract, fig 2-3, column 1, lines 5-67, column 2, lines 10-50, column 2, lines 55-67, column 3, lines 1-52, column 6, lines 5-58 & column 5, lines 50-67).

Regarding Dependent claim 2, which depends on claim 1, Dulepet discloses wherein said invoking the design-time translator further results in presentation of a WYSIWYG layout editor using the design-time representation of the one or more content components in the page (column 2, lines 10-50, column 2, lines 55-67, including the explanation provided in the Independent claims).

Regarding Dependent claim 3, which depends on claim 2, Dulepet discloses wherein the said invoking the design-time translator further results in client-side scripting components being included in the design-time representation to form at least part of the WYSIWYG layout editor and enable adding a content component to a content container using a drag-and-drop action (column 2, lines 10-50, column 2, lines 55-67, including the explanation provided in the Independent claims).

Regarding Dependent claim 4, which depends on claim 2, Dulepet discloses wherein the page template comprises a portal page template, and the WYSIWYG layout editor comprises a WYSIWYG portal page layout editor (column 6, lines 5-58 & column 5, lines 50-67, including the explanation provided in the Independent claims).

Regarding Dependent claim 5, which depends on claim 4, Dulepet discloses wherein the defined page element comprises a custom Java Server Page tag and the design-time translator and the run-time translator comprise Java Server Page tag handlers for the custom Java Server Page tag, and wherein the run-time translator obtains portal dynamic content according to the portal page template and the design-time translator does not (column 1, lines 5-67, column 2, lines 10-50, column 2, lines 55-67, column 3, lines 1-52, including the explanation provided in the Independent claims).

Regarding Independent claim 6, an article comprising a machine-readable medium storing instructions operable to cause one or more machines to perform operations comprising:

- During design-time of a portal page, translating a placeholder in a portal template into a design-time representation of a container designed to present portal dynamic content associated with the placeholder, and presenting a WYSIWYG portal layout editor using the design-time representation of the container designed to present the portal dynamic content , the run-time presentation being presented in accordance with the layout of the container, the portal template being accessible to a plurality of users of a portal and including a predefined placement of the placeholder;
- During run-time of a portal page, obtaining the portal dynamic content from a dynamic content source, and translating the placeholder in the portal template into a presentation of the container and the obtained portal dynamic content, the run-time presentation being presented in accordance with the layout of the container, the obtained portal dynamic content being personalized for a current user of the portal and at least one associated role of the current user.

Dulepet teaches creation/editing of a dynamic web page using a WYSIWYG editor. He describes the use of a design time engine which in response to a controller-deployed dynamic page request, the design time engine replaces the dynamic code JSP elements with a design time component, such a component comprises a content placeholder representative of content that would have been generated by a JSP container if the controller had deployed the dynamic code element to an executing JSP container. Furthermore the page template is available to a plurality of remote users of a portal because the Merged model in fig 2 synchronizes the updated from the editor in design-time to the application database server thus making it available to the remote users of the portal. He then describes that during run-time upon receiving the source code, JSP container replaces dynamic source code elements within the source code with dynamically generated page content, and returns a dynamically generated web page (see abstract, fig 2-3, column 1, lines 5-67, column 2, lines 10-50, column 2, lines 55-67, column 3, lines 1-52, column 6, lines 5-58 & column 5, lines 50-67).

Regarding Dependent claim 7, which depends on claim 6, Dulepet discloses wherein translating the placeholder during design-time comprises adding code enabling editing of the portal page, the added code

forming at least part of the WYSIWYG portal layout editor (column 2, lines 10-50, column 2, lines 55-67, including the explanation provided in the Independent claims).

Regarding Dependent claim 8, which depends on claim 7, Dulepet discloses wherein the added code comprises client-side scripting that enables addition of a content component to a content container in the portal page using a drag-and-drop action (column 2, lines 10-50, column 2, lines 55-67, including the explanation provided in the Independent claims).

Regarding Dependent claim 9, which depends on claim 6, Dulepet discloses wherein the placeholder comprises a custom Java Server Page tag, said translating the placeholder during design-time comprises invoking a design-time Java Server Page tag handler corresponding to the custom Java Server Page tag, and said translating the placeholder during run-time comprises invoking a run-time Java Server Page tag handler corresponding to the custom Java Server Page tag (column 1, lines 5-67, column 2, lines 10-50, column 2, lines 55-67, column 3, lines 1-52, including the explanation provided in the Independent claims).

Regarding Independent claim 10, A machine-implemented method comprising: selectively interpreting a portal page template based on a mode of operation, wherein the interpreting results in presentation of a design-time application operable to enable a plurality of remote users of a portal to edit the portal page template if the mode of operation is design-time, and the interpreting results in presentation of a run-time application operable to interact with portal dynamic content if the mode of operation is run-time, the portal page template including a container defining a predefined layout of content, the content presented differently at design-time and run-time, and presentation of the content at design-time and run-time being in accordance with the layout, dedicated tag-based placeholders marking locations for the container, content components that can be determined at design-time being displayed in a WYSIWYG manner during design time, dynamic components that cannot be determined at design-time being replaced with stand-in representation during design-time, the dynamic components displayed during run-time being personalized based on a current user of the portal and any associated roles for that user.

Dulepet teaches creation/editing of a dynamic web page using a WYSIWYG editor. He describes the use of a design time engine which in response to a controller-deployed dynamic page request, the design time

engine replaces the dynamic code JSP elements with a design time component, such a component comprises a content placeholder representative of content that would have been generated by a JSP container if the controller had deployed the dynamic code element to an executing JSP container. Furthermore the page template is available to a plurality of remote users of a portal because the Merged model in fig 2 synchronizes the updated from the editor in design-time to the application database server thus making it available to the remote users of the portal. He then describes that during run-time upon receiving the source code, JSP container replaces dynamic source code elements within the source code with dynamically generated page content, and returns a dynamically generated web page (see abstract, fig 2-3, column 1, lines 5-67, column 2, lines 10-50, column 2, lines 55-67, column 3, lines 1-52, column 6, lines 5-58 & column 5, lines 50-67).

Regarding Dependent claim 11, which depends on claim 10, the claim describes a method that contains the same limitations as claim 1 and is rejected under the same rationale.

Regarding Dependent claim 12, which depends on claim 11, Dulepet discloses wherein said invoking the design-time translator further results in client-side scripting components being included in the representation to form at least part of the design-time application and enable adding a content component to a content container in the portal page template using a drag-and-drop action (column 1, lines 5-67, column 2, lines 10-50, column 2, lines 55-67, column 3, lines 1-52, column 6, lines 5-58 & column 5, lines 50-67, including the explanation provided in the Independent claims).

Regarding Dependent claim 13, which depends on claim 11, the claim describes a method that contains the same limitations as claim 5 and is rejected under the same rationale.

Regarding Independent claim 14, the claim describes an article that contains the same limitations as claim 10 and is rejected under the same rationale.

Regarding Dependent claim 15, which depends on claim 14, the claim describes an article that contains the same limitations as claim 1 and is rejected under the same rationale.

Regarding Dependent claim 16, which depends on claim 15, the claim describes an article that contains the same limitations as claim 12 and is rejected under the same rationale.

Regarding Dependent claim 17, which depends on claim 15, the claim describes an article that contains the same limitations as claim 5 and is rejected under the same rationale.

Regarding Independent claim 18, a portal system comprising:

- A WYSIWYG portal layout editor that uses a selectively interpreted portal page template to reveal a WYSIWYG layout context for portal dynamic content without obtaining the portal dynamic content, the portal page template including a container defining a layout of content displayed differently at design-time and run-time in accordance with a first tag handler and a second tag handler, the WYSIWYG portal layout editor being accessible to a plurality of remote users of the portal system;
- the first tag handler implementing a first custom action for a custom tag during portal design-time, wherein the WYSIWYG portal layout editor uses the first tag handler with the selectively interpreted portal page template to facilitate editing of the selectively interpreted portal page template , content of the first tag handler being presented in accordance with the layout;
- the second tag handler implementing a second custom action for the custom tag during portal run-time, wherein the portal system uses the second tag handler during portal run-time to obtain and reveal the portal dynamic content, the portal dynamic content of the second tag handler being presented in accordance with the layout, the obtained portal dynamic content being personalized for a current user of the portal system and at least one associated role of the current user.

Dulepet teaches creation/editing of a dynamic web page using a WYSIWYG editor. He describes the use of a design time engine which in response to a controller-deployed dynamic page request, the design time engine replaces the dynamic code JSP elements with a design time component, such a component comprises a content placeholder representative of content that would have been generated by a JSP container if the controller had deployed the dynamic code element to an executing JSP container. Furthermore the page template is available to a plurality of remote users of a portal because the Merged model in fig 2 synchronizes the updated from the editor in design-time to the application database server thus making it available to the remote users of the portal. He then describes that during run-time upon

receiving the source code, JSP container replaces dynamic source code elements within the source code with dynamically generated page content, and returns a dynamically generated web page (see abstract, fig 2-3, column 1, lines 5-67, column 2, lines 10-50, column 2, lines 55-67, column 3, lines 1-52, column 6, lines 5-58 & column 5, lines 50-67).

Regarding Dependent claim 19, which depends on claim 18, Dulepet discloses wherein the first tag handler interprets the portal page template by including client-side scripting that enables addition of a content component to a content container in the portal page template using a drag-and-drop action (column 2, lines 10-50, column 2, lines 55-67, including the explanation provided in the Independent claims)

Regarding Dependent claim 20, which depends on claim 18, the claim describes a system that contains the same limitations as claim 5 and is rejected under the same rationale.

Regarding Independent claim 21, a system comprising: means for building a portal layout template for a portal that governs generation of a portal presentation having dynamic run-time content, wherein the means for building includes means for revealing the portal presentation as governed by the layout template during design of the layout template, without running the dynamic run-time content , the layout template including a container defining a layout of content, the content displayed differently at design-time and run-time, and presentation of the content at design-time and run-time in accordance with the layout; and means for customizing at least a portion of the dynamic run-time content based on a current user of the portal and an associated role of the current user.

Dulepet teaches creation/editing of a dynamic web page using a WYSIWYG editor. He describes the use of a design time engine which in response to a controller-deployed dynamic page request, the design time engine replaces the dynamic code JSP elements with a design time component, such a component comprises a content placeholder representative of content that would have been generated by a JSP container if the controller had deployed the dynamic code element to an executing JSP container. Furthermore the page template is available to a plurality of remote users of a portal because the Merged model in fig 2 synchronizes the updated from the editor in design-time to the application database server thus making it available to the remote users of the portal. He then describes that during run-time upon

receiving the source code, JSP container replaces dynamic source code elements within the source code with dynamically generated page content, and returns a dynamically generated web page (see abstract, fig 2-3, column 1, lines 5-67, column 2, lines 10-50, column 2, lines 55-67, column 3, lines 1-52, column 6, lines 5-58 & column 5, lines 50-67).

Regarding Dependent claim 22, which depends on claim 21, Dulepet discloses wherein the means for revealing the portal presentation includes means for facilitating client-side editing of the portal layout template (column 1, lines 5-67, column 2, lines 10-50, column 2, lines 55-67, column 3, lines 1-52, including the explanation provided in the Independent claims).

Regarding Dependent claim 23, which depends on claim **1,** Dulepet discloses wherein the during design-time comprises a period during which editing for the page is supported and the during run-time comprises a period during which editing for the page is supported and the during run-time comprises a period during which editing of the page is not supported (column 1, lines 5-67, column 2, lines 10-50, column 2, lines 55-67, column 3, lines 1-52, including the explanation provided in the Independent claims).

Regarding Dependent claim 24, which depends on claim 1, Dulepet discloses wherein the design-time translator is part of a WYSIWYG layout editor, and the run-time translator is part of the run-time system that supports presenting the page without supporting editing of the page (column 2, lines 10-50, column 2, lines 55-67, column 3, lines 1-52, including the explanation provided in the Independent claims).

Regarding Dependent claim 25, which depends on claim 1, Dulepet discloses wherein the design-time translator is a WYSIWYG layout editor and changes to the layout of the container at design-time with the WYSIWYG editor are reflected in the layout of the design-time representation and the run-time presentation (column 2, lines 10-50, column 2, lines 55-67, column 3, lines 1-52, including the explanation provided in the Independent claims).

Regarding Independent claim 26, Dulepet discloses A computer-implemented method for selectively interpreting a portal page layout template, the method comprising: providing a design-time translator and a run-time translator, the design-time translator and the run-time translator both corresponding to a same

defined page element or placeholder, and being invoked based on a current mode of operation (See fig 4a & 4B & 4C & abstract showing a design time translator and run-time translator corresponding to a defined page element and being invoked by the pre/post processors); translating a placeholder in a portal template during design-time into a representation of a container designed to present portal content using a single template file for both run-time and design-time, the container representation showing a layout context for the portal content that will be obtained and revealed at run-time, the container representation also directly presenting dynamic content source information for the content container (See fig 4a & 4B & 4C & abstract & column 6, lines 25-64, which shows translating a placeholder during design-time in 4A into a representation of a container using a template file as disclosed in both 4A and 4B.);presenting a WYSIWYG portal layout editor using the container representation designed to present the portal dynamic content, the WYSIWYG portal layout editor facilitating editing of the portal template and the resulting portal page (column 6, lines 1-59, wherein the WYSIWYG editor is presented using the container representation for editing of the portal template and portal page); obtaining portal dynamic content during run-time from a dynamic content source, the placeholder in the portal template being translated into a presentation of the container containing the obtained portal dynamic content component (see fig 4a-4c, showing dynamic content during run-time); and parsing and locating, by a run-time application, the placeholders in the template and replacing them with the run-time content components, and at design-time, parsing and rendering the same template with a representation of the content components, in place of the actual run-time content components, to reveal the run-time layout during design of the template (see fig 4a-4c & column 6, lines 1-67, disclosing placeholders in the template being replaced with the run-time content, including design-time previews of the dynamic content with placeholders).

It is noted that any citation [[s]] to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. [[See, MPEP 2123]]

Response to Arguments

6. Applicant's arguments filed 8/21/2008 have been fully considered but are not persuasive. The declaration fails to establish a conception date and or establish a date of actual reduction to practice. Furthermore new claim 26 has been rejected please see above.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manglesh M. Patel whose telephone number is (571) 272-5937. The examiner can normally be reached on M, W 6 am-3 pm T, TH 6 am-2pm, Fr 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Manglesh M Patel/
Manglesh Patel
Examiner, Art Unit 2178
Nov 19, 2008

/CESAR B PAULA/

Primary Examiner, Art Unit 2178